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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/076,036	02/13/2002	John Joseph Mascavage III	020375-002100US	7402

20350 7590 09/10/2008  
TOWNSEND AND TOWNSEND AND CREW, LLP  
TWO EMBARCADERO CENTER  
EIGHTH FLOOR  
SAN FRANCISCO, CA 94111-3834

EXAMINER
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MAGUIRE, LINDSAY M

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09/10/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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TECHNOLOGY CENTER 3600

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Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834

In re Application of: Mascavage, John et al. :  
Application No. 10/076,036 :  
Filed: February 13, 2002 :  
Attorney Docket No.: 020375-002100US :  
For: Buttons for Person to Person Payments :

**DECISION ON PETITION  
UNDER 37 CFR 1.181**

This is in response to Applicants' petitioning under 37 CFR 1.181 filed February 28, 2008 requesting withdrawal of the Requirement for Information under 37 C.F.R. § 1.105(a)(1) of the Office action mailed November 23, 2007.

The Petition is **GRANTED**.

Applicants allege that Requirement for Information under 37 C.F.R. § 1.105(a)(1) in the office action mailed on November 23, 2007 is requesting is not proper.

Applicants have argued that "The *Requirement for Information* under 37 C.F.R. § 1.105 was made in response to *Information Disclosure Statements* filed by the Applicants on May 23, 2005 and April 6, 2006 and requires "a concise statement of the relevance on all cited references who's [sic] dates are before 1950," stating "it is unclear how the references from 1874, 1873, 1908, etc. are relevant to the current application." However, the Applicants respectfully contend that the *Requirement for Information* is made without a reasonable basis for the information required, is overly broad, i.e., not clearly focused on the reason for the requirement, and improperly requires the Applicants to formulate and stipulate to opinions rather than facts. Therefore, the Applicants respectfully request withdrawal of the *Requirement for Information*."


However, in the final office action mailed on April 16, 2008 the examiner has maintained that the applicants provide further information on the matter of the original *Requirement for Information* under 37 C.F.R. § 1.105 that was made on November 23, 2007.

Applicants' arguments as to the matter of this petition are considered persuasive and the petition is granted. In addition, Requirement for Information under 37 C.F.R. § 1.105(a)(1) in the final office action mailed on April 16, 2008 is also withdrawn.

However, the office reserves the right to request further information and clarification on relevant material submitted by the applicants as part of the Information Disclosure Statements that applicants have filed. As it is clearly a matter of which one of the multitude of documents submitted by the applicants are in fact relevant to the examination and prosecution of this application.

Questions concerning this decision should be referred to SPE Kambiz Abdi at (571) 272-6702.

Summary: The petition is **GRANTED**.

  
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Wynn Coggins, Director  
Patent Technology Center 3600  
(571) 272-5350

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